



Meeting	SPA Complaint and Conduct Committee
Date	27 February 2024
Location	Video Conference
Title of Paper	Police Scotland Professionalism and Preventions
Presented By	T/Deputy Chief Constable Alan Speirs, Professionalism, Strategy and Engagement
Recommendation to Members	For Discussion
Appendix Attached	Yes – NGAU Referral breakdown (included at end of report)

PURPOSE

The purpose of this briefing paper is to provide an overview of referrals within Police Scotland that have a sexual circumstance whether they are complaints made by members of the public or internal complaints by officers or staff.

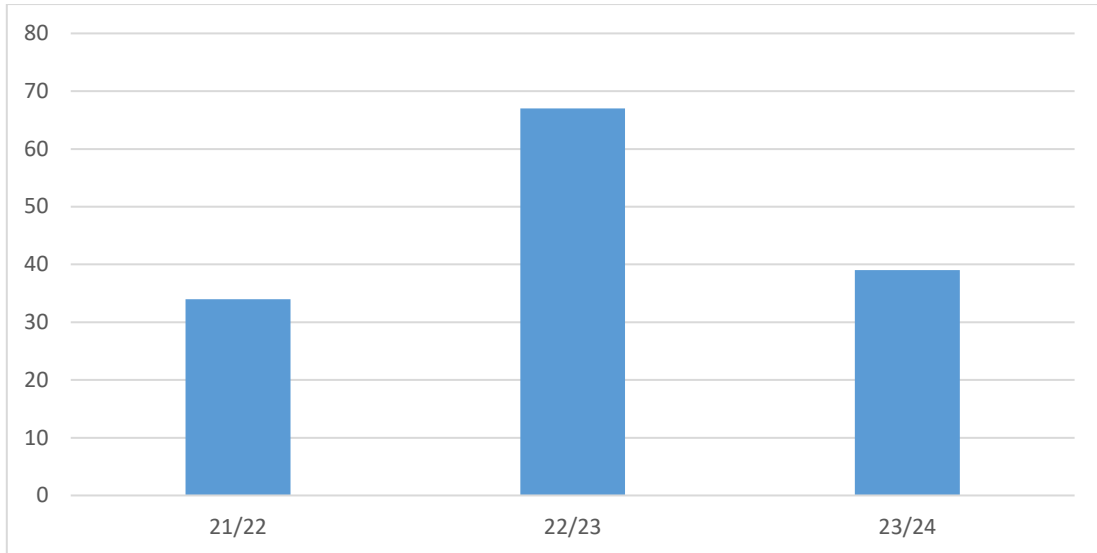
The report provides a summary to the SPA Complaints and Conduct Committee regarding reports received during 2023/24 up to the end of quarter 3.

1. OVERVIEW

- 1.1 Scrutiny on policing has never been greater and within Police Scotland the integrity of our officers and staff impacts on public trust and confidence. Police Scotland recently completed a programme of promoting and educating our staff on the standards of professional behaviour. To that end, tackling sexual misconduct is a priority within Police Scotland and officers and staff identified as being responsible for sexual misconduct will be appropriately dealt with through criminal and conduct processes, there is no place in policing for officers and staff who fall below our standards and do not live by our values.
- 1.2 The National Gateway Assessment Unit (NGAU) within the Professional Standards Department (PSD) receives all referrals for assessment by PSD and allocation to the appropriate area. In total there has been 2,394 matters referred into the NGAU during the first three quarters of 2023/24 (see appendix 1 for the full breakdown).
- 1.3 There have been 39 matters referred to the NGAU that have been recorded as sexual matters and as such assessed to be a report of sexual misconduct. This accounts for 1.6% of all referrals and covers matters relating to recent and non-recent sexual behaviour, officers making inappropriate comments of a sexual nature towards colleagues and members of the public, inappropriate messages and inappropriate sexual contact.
- 1.4 The following table shows the breakdown for each quarter;

Category	Q1	Q2	Q3	Total
Sexual	11	15	13	39

This compares to 67 referrals received over the same period in 2022/23, showing a reduction of 42%, and shows an increase of 5 from 2021/22 when 34 referrals were received. Reports of sexual misconduct increased in 2022/23 from previous years and accounted for 3.2% of referrals, which was a trend throughout the year following a number of high-profile events, increases in media reporting and internal promotion of the standards to encourage reporting. The number of referrals relating to sexual misconduct each year (to end of Q3) are shown in the table below.



1.5 During the current year, the breakdown of on and off duty matters is as follows;

	Number of Reports
On duty	20
Off Duty	17
Unknown	2
Total	39

1.6 Reports are received from a variety of sources so the source cannot always be identified. From those where the source is identified the data indicates that over 60% of the matters were reported by officers or staff.

1.7 From the 39 referrals regarding sexual misconduct received by the NGAU, 29 of the matters were referred for either criminal or conduct assessment, 6 were sent to divisions for further development and 4 related to complaint matters or matters where initial inquiry was undertaken and no further action was progressed. Some of the 29 matters referred for criminal or conduct assessment related to investigations that were already ongoing.

1.8 At the end of quarter 3, there were 69 officers suspended from duty, 32 of these relate to criminal or conduct cases involving sexual misconduct, meaning sexual matters account for 46.4% of the number of suspended officers. 20 of these officers were suspended for sexual matters that took place off duty, 10 were on duty matters and 2 related to both on and off duty matters. In addition, there are 3 restricted officers, out of the 92 officers on PSD restricted duties, for reports of inappropriate behaviour viewed to be of a sexual

manner. Restrictions to their duties being applied as an alternative to suspension.

1.9 In relation to live misconduct matters, namely ongoing misconduct investigations or proceedings, 21% relate to matters involving sexual misconduct. It should be noted that some of these cases will have been received through referral to NGAU and as such already counted as a sexual misconduct referral.

1.10 Over the last 12 months, six officers have resigned in advance of gross misconduct proceedings for matters relating to sexual misconduct and one was dismissed at a gross misconduct hearing.

1.11 Case Example 1

A referral was received at the NGAU regarding an officer acting inappropriately towards females whilst off duty and at a social event. The officer is currently suspended as criminal matters are progressed.

2.12 Case Example 2

A member of the public approached a serving officer to report concern about the sexual behaviour of another officer towards her. The serving officer reported the matter to supervisors, who referred the matter to the NGAU and initial enquiries were made. The officer was suspended and the investigation continues.

2.13 Case Example 3

A referral was received by the NGAU regarding inappropriate behaviour by a male officer towards female officers. Initial investigations were carried out and the officer was suspended. The matter was established not to be criminal but the officer is currently subject of a gross misconduct investigations.

2. PREVENTION ACTIVITY

2.1 Over the last year, the Values Campaign has been running as part of the Policing Together Preventions and Professionalism Programme with a focus on each of the Standards of Professional Behaviour for officers and the Code of Conduct for staff. The focus on the standards of 'Authority, Respect and Courtesy' included a short video to raise awareness of 'Abuse of position for a sexual purpose' and to encourage reporting.

- 2.2 'The Standard' newsletter and a publication covering Gross Misconduct Outcomes have been introduced and are now both published on a quarterly basis. The purpose of these publications is to increase awareness in relation to PSD, complaint and disciplinary matters. There is extremely high engagement rates and positive feedback regarding them. These are now also issued publicly via our quarterly reporting to the SPA Complaints and Conduct Committee.
- 2.3 Work is ongoing across the UK, coordinated by the NPCC to introduce a UK wide anti-corruption line. This will give members of the public a fully anonymous way to report any concerns and give policing further opportunity to identify officers or staff who do not meet the standards we expect of our workforce.
- 2.4 The Historic Data Wash of all workforce data relating to Police Scotland has been completed. It did not highlight any sexual matters of concern.
- 2.5 Following the review of police perpetrated incidents involving sexual circumstances reported between 2017 and October 2021 a further review is now being undertaken to review cases reported up to January 2023. This review is ongoing and a report will be compiled to identify any further learning and recommendations.
- 2.6 Police Scotland also committed to carrying out a review of all reports of police perpetrated incidents involving domestic circumstances reported between January 2020 and January 2023. This resulted in review of 188 cases supported by specialist Domestic Abuse Task Force SIO, with 4 identified as requiring further enquiry. A report has now been compiled detailing the findings of the review and identifying 14 recommendations for learning and improvement in investigating such matters.
- 2.7 There is ongoing engagement with third sector organisations in order to raise awareness of sexual misconduct and increase confidence in reporting. Presentations have been delivered to third sector organisations focusing on Abuse of Position for a sexual purpose.
- 2.8 In December 2023, the NGAU implemented the use of additional category information, which will enable more accurate recording when it comes to recording matters.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications in this report.

4. PERSONNEL IMPLICATIONS

4.1 There are no personnel implications in this report.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications in this report.

6. REPUTATIONAL IMPLICATIONS

6.1 There are reputational implications in this report. This report provides an overview of sexual misconduct matters and referrals within Police Scotland. This is being shared in order to provide an overview of the criminal and conduct matters being identified and the robust and thorough approach to tackling these. This paper aims to provide reassurance in the work being progressed and our recognition of the importance of transparency around these matters.

7. SOCIAL IMPLICATIONS

7.1 There are no social implications in this report.

8. COMMUNITY IMPACT

8.1 There are community implications in this report. This report provides an overview of sexual misconduct matters and referrals within Police Scotland. This is being shared in order to provide detail of the matters being identified and the robust and thorough approach to tackling these. It is hoped that this will provide reassurance in the work being progressed and increase confidence in reporting these matters.

9. EQUALITIES IMPLICATIONS

9.1 There are no equality implications in this report.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss the contents of this report.

Appendix 1 – NGAU Referral Breakdown

Table: Gateway Referrals received, by category (Apr – Dec 2023)

Gateway Category	Number of referrals
Abuse Of Authority	11
Audit Request	63
Business Interest	492
Conditional Posting	3
Controlled Drug Use And Supply	63
Disclosure Of Information	117
Exploitation Of The Privilege Of Office	8
Grievance Related Matter	37
Inappropriate Association	69
Inappropriate Social Media	30
Misuse Of Force Systems	25
Notifiable Association	498
Organisational Risk	268
Other	12
Other Criminal Behaviour	223
Performance	295
Perverting The Course Of Justice	2
Sexual Misconduct	37
Theft And Fraud	14
Vulnerability	127
Grand Total	2,394